

Attorney Docket No. 50554-0011

REMARKS

The Examiner is thanked for conducting an Examiner's Interview on January 21, 2003. In that interview, Applicant pointed out features of various claims that Applicant believes distinguish and render them patentable. Applicant is hereby reiterating points made in the interview for further consideration by the Examiner.

CLAIMS 1 and 26

Claims 1 and 26 recite:

automatically generating a set of criteria based on contents of a plurality of electronic mail messages received over a network;
wherein the step of automatically generating a set of criteria includes, in response to determining that a threshold number of said plurality of electronic mail messages have a particular content, generating criteria that classifies electronic mail messages that have said particular content as a first type of electronic mail;...

An important and advantageous feature of the system recited in claims 1 and 26 is that it automatically determines what particular content to use to classify electronic mail messages as, for example, bulk mail, by automatically determining that a quantity (i.e. threshold value) of electronic mail messages received over a network have the same particular content. This automated way of establishing what particular content in electronic mail messages may be used to classify them is not taught or suggested in any way by the cited art.

Applicant admits that *Leeds* and *Horvitz* describe a system that classifies electronic mail messages based on particular content contained therein, where the particular content has been predetermined to be indicative of junk mail. For example, *Leeds* teaches that electronic mail messages that include certain phrases and keywords in the message body (0026, 0034) can be

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classified as junk electronic mail messages. *Horvitz* teaches that electronic mail messages that have particular content in the form of, for example, particular words can be classified as junk electronic mail messages. (col. 4, lines 54 – 60, “In accordance with our specific inventive teachings, each incoming e-mail message, in such a stream, is first analyzed to determine which feature(s) in a set of N predefined features, i.e., distinctions, (where N is an integer), that are particularly characteristic of spam, the message contains. These features (i.e., the ‘feature set’) include both simple-word-based features and handcrafted features.”)

While the cited art teaches using particular content in electronic mail messages to classify the electronic mail messages, it does not teach the claimed way of automatically determining what particular content can be used to classify electronic mail messages. Specifically, the cited art does not teach or suggest to determine that the particular content is contained in a particular quantity of electronic mail messages, and in response, generating criteria that classifies electronic mail messages that have the particular content as a first type of electronic mail.

CLAIMS 10 AND 29

Claims 10 and 29, as amended, recite:

an electronic mail server determining whether said message signature satisfies a set of criteria based on message signatures previously received by said central server from a set of electronic mail servers; and

wherein said set of criteria classifies said electronic mail message and a threshold number of electronic mail messages as having a particular content;...

The cited art fails to disclose or suggest in any way all the limitations of claims 10 and 29. For example, the cited art fails to disclose or suggest in any way the limitation of a “set of criteria [that] classifies said electronic mail message and a threshold number of electronic mail messages as having a particular content”, for reasons similar to those discussed with respect to

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claims 1 and 26. Therefore, claims 10 and 29 are patentable. Reconsideration and allowance of claims 10 and 29 is respectfully requested.

CLAIMS 19 AND 32

Claims 19 and 32 recite:

determining whether said message signature satisfies a set of criteria that indicates said electronic mail message and a threshold number of electronic mail messages have a particular content;...

The cited art fails to disclose or suggest in any way all the limitations of claims 19 and 32. For example, the cited art fails to disclose or suggest in any way the limitation of "determining whether said message signature satisfies a set of criteria that indicates said electronic mail message and a threshold number of electronic mail messages have a particular content", for reasons similar to those discussed with respect to claims 1 and 26. Therefore, claims 19 and 32 are patentable. Reconsideration and allowance of claims 19 and 32 is respectfully requested.

CLAIMS 15 AND 31

Claims 15 and 31, recite:

counts of how many times said one or more signature elements are matched by signature elements from message signatures generated for other electronic mail messages.

The cited art, however, fails to disclose or suggest in any way all the limitations of claims 15 and 31. For example, the cited art fails to disclose or suggest in any way the limitation of "counts of how many times said one or more signature elements are matched by signature elements from message signatures generated for other electronic mail messages", for reasons

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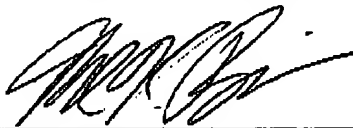
similar to those discussed with respect to claims 1 and 26. Therefore, claims 15 and 31 are patentable. Reconsideration and allowance of claims 15 and 31 is respectfully requested.

DEPENDANT CLAIMS

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. In addition, the dependent claims introduce additional limitations that independently render them patentable. However, due to fundamental differences already identified, the additional limitations are not discussed at this time.

Respectfully submitted,

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